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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/598,595

08/17/2007

David Minodier

4976-012

7469

22429

7590

03/02/2010

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EXAMINER

JOHN, CLARENCE

ART UNIT

PAPER NUMBER

2443

MAIL DATE

DELIVERY MODE

03/02/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/598,595	<b>Applicant(s)</b> MINODIER ET AL.	
	<b>Examiner</b> CLARENCE JOHN	<b>Art Unit</b> 2443	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13, 15 and 16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13, 15 and 16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Status of Claims***

This action is responsive to the Notice of Panel Decision from Pre-Appeal Brief Review filed on 12/30/2009 in order to Reopen Prosecution. Claims 1-13, 15-16 are pending.

### ***Response to Remarks / Arguments***

Applicant's remarks filed on 10/27/2009 have been fully considered but they are moot in view of the new ground of rejection anticipated by Weinstein et al. (US 2002/0191572) in view of Chang et al. (2004/0215635) in further view of Stephenson et al (US 2002/0023143).

### ***Specification***

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP

§ 608.01(o). Correction of the following is required:

Claim 12 recites, " A computer readable medium having stored thereon ...".

A computer readable medium is not defined anywhere in the specification.

### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Art Unit: 2443

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

1. Claim 12 is rejected under 35 USC 101 since the claim is directed to non-statutory subject matter.
2. Claim 12 recites a computer readable medium which appears to cover both transitory and non-transitory embodiments. The United States Patent and Trademark Office (USPTO) is required to give claims their broadest reasonable interpretation consistent with the specification during proceedings before the USPTO. *See In re Zletz*, 893 F.2d 319 (Fed. Cir. 1989) (during patent examination the pending claims must be interpreted as broadly as their terms reasonably allow). The broadest reasonable interpretation of a claim drawn to a computer readable medium (also called machine readable medium and other such variations) typically covers forms of non-transitory tangible media **and** transitory propagating signals *per se* in view of the ordinary and customary meaning of computer readable media, particularly when the specification is silent. *See* MPEP 2111.01. When the broadest reasonable interpretation of a claim covers a signal *per se*, the claim **must** be rejected under 35 U.S.C. § 101 as covering non-statutory subject matter. *See In re Nuijten*, 500 F.3d 1346, 1356-57 (Fed. Cir. 2007) (transitory embodiments are not directed to statutory subject matter) and *Interim Examination Instructions for Evaluating Subject Matter Eligibility Under 35 U.S.C. § 101*, Aug. 24, 2009; p. 2.

Art Unit: 2443

3. The Examiner suggests that the Applicant add the limitation "non-transitory computer readable medium" to the claim in order to properly render the claims in statutory form in view of their broadest reasonable interpretation in light of the originally filed specification.
4. The examiner also suggests that the specification be amended to include the term "non-transitory computer readable medium" to avoid a potential objection to the specification for a lack of antecedent basis of the claimed terminology.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 2 and 11 are rejected under 35 U.S.C. 103(a) as being anticipated by Weinstein et al (US 2002/0191572) in view of Chang et al. (US 2004/0215635) in further view of Stephenson et al. (US 2002/0023143).
6. With respect to Claim 1, Weinstein teaches a method of authenticating a telecommunication terminal called client for access to at least one virtual network which allows the client to access the services of at least one

Art Unit: 2443

- service provider, the or each virtual network being set up on a telecommunication network, the method being performed with a data processing arrangement and comprising: determining the compatibility of software of the client with a predetermined access control protocol for access to the virtual network, (Figure 9, Page 3, paragraph [0021] lines 1-18, Page 6, paragraph [0069] lines 1-9).
7. Weinstein teaches the limitations of Claim 1 as stated above., However, Weinstein does not explicitly state about the software of the client which is not compatible with the predetermined access control protocol, authorizing data transfer between the client and at least one subscription system for subscribing the client to at least one service provider via an authentication network which is different from the or each virtual network which allows the client to access the services of the or each service provider.
  8. Conversely Chang does in fact teach such a limitation. Change teaches a system and method for incompatible user interfaces and access protocols (See Abstract, Page 1, paragraph [0005] lines 8-11, Page 3, paragraph [0028], lines 1-5).
  9. Weinstein and Chang have common grounds of client server communication, accessing and exchanging data resources involving access protocols and software compatibility. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Chang with Weinstein by implementing a

Art Unit: 2443

content management system in order to access and share additional non compatible repositories.

10. Weinstein and Chang teach the limitations of Claim 1 as described above.

However Weinstein and Change do not explicitly state about authorizing data transfer between the client and at least one subscription system for subscribing the client to at least one service provider via an authentication network which is different from the or each virtual network which allows the client to access the services of the or each service provider.

11. Conversely, Stephenson does in fact teach such a limitation. Stephenson teaches a system and method of data communication between server and clients and implements exchange of data between the client enabled applications that are connected to separate private networks and a public Internet. (Page 3, paragraph [0039], lines 1-11); if the non-compatible client subscribes to at least one service provider via the authentication network, (Page 4, paragraph [0060], Page 7, paragraph [0109]. Here the client software compatibility is verified. If the software is not compatible, the connection is broken); transferring to the non-compatible client an authentication for accessing the virtual network which allows access to the services of the service provider to which the non-compatible client is subscribed and information which makes it possible to make the software of the client compatible with the predetermined access control protocol. (Page 2, paragraph [0034], Page 9, paragraph [0138], Here the server

Art Unit: 2443

allows highly secure bi-directional communication between private network and virtual network without modifying the firewall);

12. Weinstein, Chang and Stephenson have common grounds of client server communication, accessing and exchanging data resources involving access protocols with software compatibility. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Stephenson with Weinstein and Chang so that clients can use the same type of access protocols to access resources from the server and need not require separate translation of implemented protocols.

13. With respect to Claim 2, Weinstein, Chang and Stephenson teach a method according to Claim 1 wherein the authentication network is a virtual network or a network that is separate from the telecommunication network. (Weinstein's teachings on Page 5, paragraph [0055] and [0056]. Figure 3A. Here the virtual operator network is different from mobile network).

14. With respect to Claim 11, Weinstein teaches a system for authenticating a telecommunication terminal called client for access to at least one virtual network for allowing the client to access the services of at least one service provider, the or each virtual network being set up on a telecommunication network, the system comprising ; processing means



Art Unit: 2443

- for determining the compatibility of software of the client with a predetermined access control protocol for access to the telecommunication network, (Figure 9, Page 3, paragraph [0021] lines 1-18, Page 6, paragraph [0069] lines 1-9);
15. Weinstein teaches the limitations of Claim 11 as stated above., However, Weinstein does not explicitly state about the software of the client which is not compatible with the predetermined access control protocol, authorizing means for authorizing if the software of the client is not compatible with the predetermined access control protocol, data transfer between the client and at least one subscribing means for subscribing the client to at least one service provider via an authentication network which is different from the or each virtual network which allows the client to access the services of the or each service provider.
16. Conversely Chang does in fact teach such a limitation. Chang teaches a system and method for incompatible user interfaces and access protocols (See Abstract, Page 1, paragraph [0005] lines 8-11, Page 3, paragraph [0028], lines 1-5).
17. Weinstein and Chang have common grounds of client server communication, accessing and exchanging data resources involving access protocols and software compatibility. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Chang with Weinstein by implementing a

Art Unit: 2443

content management system in order to access and share additional non compatible repositories.

18. Weinstein and Chang teach the limitations of Claim 11 as described above. However Weinstein and Change do not explicitly state about authorization means for authorizing if the software of the client is not compatible with the predetermined access control protocol, data transfer between the client and at least one subscribing means for subscribing the client to at least one service provider via an authentication network which is different from the or each virtual network which allows the client to access the services of the or each service provider.

19. Conversely, Stephenson does in fact teach such a limitation. Stephenson teaches a system and method of data communication between server and clients and implements exchange of data between the client enabled applications that are connected to separate private networks and a public Internet. (Page 3, paragraph [0039], lines 1-11); if the non-compatible client subscribes to at least one service provider via the authentication network, (Page 4, paragraph [0060], Page 7, paragraph [0109]. Here the client software compatibility is verified. If the software is not compatible, the connection is broken); transfer means for transferring to the non-compatible client an authentication for accessing the virtual network which allows access to the services of the service provider to which the non-compatible client is subscribed and information which makes it possible to make the software of the client compatible with the predetermined access

Art Unit: 2443

control protocol. (Page 2, paragraph [0034], Page 9, paragraph [0138], Here the server allows highly secure bi-directional communication between private network and virtual network without modifying the firewall);

20. Weinstein, Chang and Stephenson have common grounds of client server communication, accessing and exchanging data resources involving access protocols with software compatibility. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Stephenson with Weinstein and Chang so that clients can use the same type of access protocols to access resources from the server and need not require separate translation of implemented protocols.

21. Claims 3-9, 12, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weinstein, Chang and Stephenson in further view of Prasad et al. (US 7,197,125).

22. With respect to Claim 3, Weinstein, Chang and Stephenson teach the limitations of Claim 1 as described above. However, Weinstein, Chang and Stephenson do not explicitly state wherein the subscription system includes of at least one subscription portal, (Figure 1, block 104) an authentication material server (Figure 1, block 106) and, where-in response to the client subscribing subscribes to a service, (Figure 2A,

Art Unit: 2443

block 2-009); the subscription portal transfers to an authentication server data associated with the authentication transferred to the client. (Figure 2A - blocks 2-001 to 2-004 and Figure 2B - block 2-015).

23. Conversely Prasad does in fact teach such a limitation. Prasad teaches a method for modifying a subscription of a subscriber to a telecommunication service in a communication network with access protocols, authenticating and authorizing users to access resources via a communication network. Prasad also teaches in the subscription system which includes of at least one subscription portal, (Figure 1, block 104) an authentication material server (Figure 1, block 106) and, where-in response to the client subscribing subscribes to a service, (Figure 2A, block 2-009); the subscription portal transfers to an authentication server data associated with the authentication transferred to the client. (Figure 2A - blocks 2-001 to 2-004 and Figure 2B - block 2-015).

24. Weinstein, Chang and Stephenson have common grounds of client server communication, accessing and exchanging data resources involving access protocols with software compatibility. Prasad also teaches client server communication with access protocols and accessing and sharing resources.

25. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Prasad with Weinstein, Chang and Stephenson by implementing an improved

service selection and management system which provides authentication functions to users regardless of any service they subscribe to.

26. With respect to Claim 4, Weinstein, Chang, Stephenson and Prasad teach the limitations of Claim 3 as described above. However, Weinstein, Chang and Stephenson do not explicitly state wherein the client is connected to the network via a Digital Subscriber Line Access Multiplexor performing the steps of obtaining an identifier and a client authentication confirmation from the authentication server.

27. Conversely Prasad does in fact teach such a limitation. Prasad teaches wherein the client is connected to the network via a Digital Subscriber Line Access Multiplexor (Column 18, lines 24-29, Figure 7- block 718) and, if the client is compatible with the predetermined access control protocol the Digital Subscriber Line Access Multiplexor performs the steps of obtaining an identifier and a client authentication material (Column 17, lines 5-11, Column 8, lines 49-55. Figure 2A block 2006. Here the command selections to the processor include the steps of obtaining a username and authentication quality) and of obtaining a client authentication confirmation from the authentication server (Column 8, lines 11-17 and Figure 2A, blocks 2-003 and 2-004).

28. Weinstein, Chang and Stephenson have common grounds of client server communication, accessing and exchanging data resources involving access protocols with software compatibility. Prasad also teaches client

Art Unit: 2443

server communication with access protocols and accessing and sharing resources.

29. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Prasad with Weinstein, Chang and Stephenson by implementing an improved service selection and management system which provides authentication functions to users regardless of any service they subscribe to.

30. With respect to Claim 5, Weinstein, Chang, Stephenson and Prasad teach the limitations of Claim 4 as described above. However, Weinstein, Stephenson and Prasad do not explicitly state if the authentication server does not confirm the authentication of the client, the method comprises a step of authorizing data transfer between the client and at least one subscription system for subscribing the client to at least one service provider via an authentication network which is different from the or each virtual network which allows the client to access the services of the or each service provider.

31. Conversely Chang does in fact teach such a limitation. Chang teaches a system and method for incompatible user interfaces and access protocols (See Abstract, Page 1, paragraph [0005] lines 8-11, Page 3, paragraph [0028], lines 1-5).

32. Weinstein, Stephenson, Prasad and Chang have common grounds of client server communication, accessing and exchanging data resources

involving access protocols and software compatibility. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Chang with Weinstein by implementing a content management system in order to access and share additional non compatible repositories.

33. With respect to Claim 6, Weinstein, Chang and Stephenson teach the limitations of Claim 3 as described above. However, Weinstein, Chang and Stephenson do not explicitly state a method according to Claim 3, wherein there is a transfer to the authentication server of information associated with the service provider to which the client is subscribed and/or information characterizing the service to which the client is subscribed.
34. Conversely Prasad does in fact teach such a limitation. Prasad teaches a method for modifying a subscription of a subscriber to a telecommunication service in a communication network with access protocols, authenticating and authorizing users to access resources via a communication network. Prasad also teaches about a transfer to the authentication server of information associated with the service provider to which the client is subscribed and/or information characterizing the service to which the client is subscribed.
35. (Prasad - Column 10, lines 4 – 29, Fig 2B - blocks 2-014 through 2-017. This shows the information to which the client is subscribed).

36. Weinstein, Chang and Stephenson have common grounds of client server communication, accessing and exchanging data resources involving access protocols with software compatibility. Prasad also teaches client server communication with access protocols and accessing and sharing resources.

37. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Prasad with Weinstein, Chang and Stephenson by implementing an improved service selection and management system which provides authentication functions to users regardless of any service they subscribe to.

38. With respect to Claim 7, Weinstein, Chang, Stephenson and Prasad teach the limitations of Claim 6 as described above. However, Weinstein, Chang and Stephenson do not explicitly state wherein the authentication server additionally transfers to the Digital Subscriber Line Access Multiplexer the information, associated with the service provider to which the client is a client and/or the information relating to the service or services to which the client is subscribed.

39. Conversely Prasad does in fact teach such a limitation. Prasad teaches a method for modifying a subscription of a subscriber to a telecommunication service in a communication network with access protocols, authenticating and authorizing users to access resources via a communication network. Prasad also teaches about an authentication



Art Unit: 2443

server additionally transfers to the Digital Subscriber Line Access Multiplexer the information, associated with the service provider to which the client is a client and/or the information relating to the service or services to which the client is subscribed. (Prasad's teachings on Figure 2A blocks 2-006 through 2-011 and Figure 2B blocks 2-012 through 2-017 and Figure 4A blocks 4-007 through 4-009. Here the authentication server transfers all information to the service provider to which the client is subscribed).

40. Weinstein, Chang and Stephenson have common grounds of client server communication, accessing and exchanging data resources involving access protocols with software compatibility. Prasad also teaches client server communication with access protocols and accessing and sharing resources.

41. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Prasad with Weinstein, Chang and Stephenson by implementing an improved service selection and management system which provides authentication functions to users regardless of any service they subscribe to.

42. With respect to Claim 8, Weinstein, Chang, Stephenson and Prasad teach the limitations of Claim 7 as described above. However, Weinstein, Chang and Stephenson do not explicitly state about the Digital Subscriber Line Access Multiplexer authorizes data transfer between the

Art Unit: 2443

virtual network which allows the client to access the services of the service provider.

43. Conversely Prasad does in fact teach such a limitation. Prasad teaches a method for modifying a subscription of a subscriber to a telecommunication service in a communication network with access protocols, authenticating and authorizing users to access resources via a communication network. Prasad also teaches the Digital Subscriber Line Access Multiplexer authorizes data transfer between the virtual network which allows the client to access the services of the service provider. (Prasad's teachings on Figure 4A, blocks 4-004 and 4-011. Here the client's data is transferred to the service provider for the client to access the services to which the client is subscribed according to the communication speeds to which the client is subscribed).

44. Weinstein, Chang and Stephenson have common grounds of client server communication, accessing and exchanging data resources involving access protocols with software compatibility. Prasad also teaches client server communication with access protocols and accessing and sharing resources.

45. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Prasad with Weinstein, Chang and Stephenson by implementing an improved service selection and management system which provides authentication functions to users regardless of any service they subscribe to.

46. With respect to Claim 9, Weinstein, Chang and Stephenson teach the limitations of Claim 1 as described above. However, Weinstein, Chang and Stephenson do not explicitly state wherein an address server is also associated with the virtual authentication network.
47. Conversely Prasad does in fact teach such a limitation. Prasad teaches a method for modifying a subscription of a subscriber to a telecommunication service in a communication network with access protocols, authenticating and authorizing users to access resources via a communication network. Prasad also teaches wherein an address server is also associated with the virtual authentication network. (Column 19, lines 60-61, Column 20, lines 31-34); and the address server allocates an address to the client for data transfer on the virtual authentication network. (Column 7, lines 16-18).
48. Weinstein, Chang and Stephenson have common grounds of client server communication, accessing and exchanging data resources involving access protocols with software compatibility. Prasad also teaches client server communication with access protocols and accessing and sharing resources.
49. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Prasad with Weinstein, Chang and Stephenson by implementing an improved

Art Unit: 2443

service selection and management system which provides authentication functions to users regardless of any service they subscribe to.

50. With respect to Claim 12, Weinstein, Chang and Stephenson teach the limitations of Claim 1 as described above. However, Weinstein, Chang and Stephenson do not explicitly state about a computer readable medium having stored thereon a computer program including instructions for enabling a computer to carry out the authentication method of Claim 1.

51. Conversely Prasad does in fact teach such a limitation. Prasad teaches a method for modifying a subscription of a subscriber to a telecommunication service in a communication network with access protocols, authenticating and authorizing users to access resources via a communication network. Prasad also teaches an apparatus which is implemented by programmed computers which inherently are programmed by and further include computer readable media that store a computer program to perform the instructions discussed below and a storage device (Figure 7, block 710) having stored thereon a computer program including instructions for enabling a computer to carry out the authentication method according to of Claim 1. (Figure 2A- blocks 2-002 through 2-004).

52. Weinstein, Chang and Stephenson have common grounds of client server communication, accessing and exchanging data resources involving access protocols with software compatibility. Prasad also teaches client

Art Unit: 2443

server communication with access protocols and accessing and sharing resources.

53. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Prasad with Weinstein, Chang and Stephenson by implementing an improved service selection and management system which provides authentication functions to users regardless of any service they subscribe to.

54. With respect to Claim 15, Weinstein, Chang and Stephenson teach the limitations of Claim 1 as described above. However, Weinstein, Chang and Stephenson do not explicitly state wherein the method authenticates the client to the services of plural service providers via plural virtual networks wherein if the software of the client is not compatible with the predetermined access control protocol, authorizing data transfer between the client and plural subscription systems for subscribing the client to plural service providers via the authentication network which allows the client to access the services of each service provider.

55. Conversely Prasad does in fact teach such a limitation. Prasad teaches a method for modifying a subscription of a subscriber to a telecommunication service in a communication network with access protocols, authenticating and authorizing users to access resources via a communication network. Prasad also teaches the method which authenticates the client to the services of plural service providers via plural

Art Unit: 2443

virtual networks (Figure 2A blocks 2-001 through 2-004, Column 8, lines 1-23. Here the client is authenticated upon successful verification); wherein if the software of the client is not compatible with the predetermined access control protocol, authorizing data transfer between the client and plural subscription systems for subscribing the client to plural service providers via the authentication network which allows the client to access the services of each service provider. (Column 2, lines 35-54. Column 18, lines 36-42. Figure 5B. Figure 7 - ISP 726. Here, when the subscription of the client is modified, the client is not compatible with the network and data is transferred to the client by the authenticated network).

56. Weinstein, Chang and Stephenson have common grounds of client server communication, accessing and exchanging data resources involving access protocols with software compatibility. Prasad also teaches client server communication with access protocols and accessing and sharing resources.

57. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Prasad with Weinstein, Chang and Stephenson by implementing an improved service selection and management system which provides authentication functions to users regardless of any service they subscribe to.

58. With respect to Claim 16, Weinstein, Chang and Stephenson teach the limitations of Claim 11 as described above. However, Weinstein, Chang and Stephenson do not explicitly state the limitations as stated in Claim 16.

59. Conversely Prasad does in fact teach such limitations. Prasad teaches a method for modifying a subscription of a subscriber to a telecommunication service in a communication network with access protocols, authenticating and authorizing users to access resources via a communication network. Prasad also teaches wherein the system is arranged for accessing plural virtual networks for allowing the client to access plural service providers and each virtual network is set up on the telecommunication network, (Prasad - Figure 2A, blocks 2-008 through 2-011, Figure 2B, blocks 2-012 through 2-014); wherein: (a) the authorization means is arranged for subscription systems, (Prasad - Figure 5B. Here the user credentials are verified in order to access subscription systems); (b) the subscribing means is arranged for subscribing plural service providers via the network, (Prasad - Figure 2A blocks 2-001 through 2-004, Column 8, lines 1-23. Here the client who has subscribed to access service providers are authenticated upon successful verification of their credentials) and (c) the transfer means is arranged for transferring to the new compatible client, if the non-compatible client subscribes to plural service providers. (Prasad - Column 5, lines 59-67, Column 6, lines 1-2. Figure 1, Block 114. Here the non

Art Unit: 2443

compatible client is authenticated to use the services of the service provider).

60. Weinstein, Chang and Stephenson have common grounds of client server communication, accessing and exchanging data resources involving access protocols with software compatibility. Prasad also teaches client server communication with access protocols and accessing and sharing resources.

61. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Prasad with Weinstein, Chang and Stephenson by implementing an improved service selection and management system which provides authentication functions to users regardless of any service they subscribe to.

62. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Weinstein, Chang and Stephenson in further view of Addington et al. (US 7,194,756).

63. With respect to Claim 10, Weinstein, Chang and Stephenson teach the limitations of Claim 1 as described above. However Weinstein, Chang and Stephenson do not explicitly state about teaching a method according to Claim 1, wherein the telecommunication network is a high-speed network based on Ethernet technology, and the predetermined access control protocol is a protocol of the IEEE 802.1x type, and the



Art Unit: 2443

clients are connected to the Digital Subscriber Line Access Multiplexer via connections of the DSL type.

64. Conversely, Addington teaches such a limitation where the telecommunication network which he uses is a high speed network based on Ethernet technology, (Column 55, lines 61-67) and the predetermined access control protocol is a protocol of the IEEE 802.11b (Column 56, lines 1-4 and Figure 22, block 1556).

65. Weinstein, Chang and Stephenson have common grounds of client server communication, accessing and exchanging data resources involving access protocols with software compatibility. Addington teaches digital communication network involving subscription services using IP Protocol. All references teach communication networks using IP Protocols.

66. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Addington with Weinstein, Chang and Stephenson in order to have high speed wireless data access from the network to the user's computer. (Addington's teachings on Column 55, lines 61-67 and Column 56, lines 1-4).

67. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Prasad in view of Addington.

68. With respect to Claim 13, Prasad teaches a Digital Subscriber Line Access Multiplexor which allows at least one client to access the services

Art Unit: 2443

- of at least one service provider, (Prasad's teachings on Figure 4A, block 4-001 through 4-004); the client line multiplexor being arranged for relaying the information transmitted by the client and associated with authentication of the client to an authentication server, (Prasad's teachings on Figure 2B, block 2-017, Figure 4A, blocks 4-004 and 4-005. Here the information of the client is relayed to the authentication server)
69. Prasad teaches the limitations of Claim 13 as described above. However Prasad does not explicitly state about the client line multiplexor including a software module according to the IEEE 802.1x standard.
70. Conversely, Addington teaches such a limitation in his telecommunication network which uses a high speed network based on Ethernet technology (Addington's teachings on Column 55, lines 61-67) and the client line multiplexor includes a software module (Column 30, lines 5-6) according to the protocol which is IEEE 802.11b.
71. Addington teaches digital communication network involving subscription services using IP Protocol. Prasad also teaches a telecommunications network involving subscription services using IP Protocol. Both references teach communication networks using IP Protocols.
72. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Addington with Prasad in order to have enhanced services such as Personal Video Recording (PVR) from the service provider and

Art Unit: 2443

configuring the service in the host. (Addington's teachings on Column 30, lines 5-10).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CLARENCE JOHN whose telephone number is (571)270-5937. The examiner can normally be reached on Mon - Fri 8:00 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Tonia Dollinger can be reached on 571-272-4170.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Art Unit: 2443

/CJ/

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